



## TOWN OF ARLINGTON

730 Massachusetts Ave.  
Arlington, MA 02476  
781-316-3012

### ARLINGTON CONSERVATION COMMISSION

#### Arlington Conservation Commission

#### Minutes

May 2, 2019

Mr. Stevens called the meeting to order at 7:36 p.m. in the second floor conference room of the Town Hall Annex. Present were Commission Members Nathaniel Stevens, David White, Charles Tirone, Mike Nonni, Susan Chapnick, and Curt Connors; and Conservation Agent Emily Sullivan. Commissioner Pam Heidell and Associate Commissioner Cathy Garnett were absent. Also present were Mary Trudeau, Xavid Pretzer, Sarah Tuttle, Patrick Seekamp, Michael Juliano, Richard Tibbetts, Aletta Tibbetts, Jenifer Tidwell, and Downing Cless.

#### **Administrative**

##### Ducks at Cooke's Hollow

E. Sullivan informed the Commission that there was a nest of mallard duck eggs at Cooke's Hollow, so all maintenance has been postponed.

##### Lowering Level at Spy Pond

E. Sullivan informed the Commission that the elevation of Spy Pond must be lowered by approximately 1 foot to complete the approved and permitted work of the Spy Pond Edge and Erosion Control Project. Spy Pond will be lowered by approximately 1 foot from mid-May until the end of June 2019. In July, Spy Pond's elevation will be restored by 6 inches. Once the project is completed at the end of September 2019, the pond will be restored by another 6 inches, to its average elevation.

##### Tree Hearings for Conservation Projects

E. Sullivan asked the Commission if Conservation Commission approved projects that include tree removal require separate tree hearings. The Commission stated that such projects do not require separate tree hearings.

##### Conservation Commission Membership

N. Stevens announced that C. Connors will not seek reappointment onto the Commission when his term expires in June 2019. N. Stevens thanked C. Connors for his time and dedication to the Commission. S. Chapnick suggested that the Commission look for a Commissioner with stormwater expertise. N. Stevens informed the Commission of Ms. Garnett's interest in becoming a full Commission member again, but would be traveling as she has been as an

Associate Member. The Commission felt that to appear transparent, the position should be posted by the Town Manager's Office as usual.

#### Spy Pond Invoice Approval

*Documents Reviewed: invoice #10 in the amount of 1,652.03*

Commissioners discussed the invoice. E. Sullivan recommended approving the invoice. C. Connors moved to approve invoice, D. White seconded, all were in favor, invoice approved.

#### McClennen Park

S. Chapnick and D. White explained that currently the grass at McClennen is being mowed right to the water's edge, which is impacting the wildlife habitat. S. Chapnick and D. White proposed that grass be left to grow out, and that only areas within 10 feet of the path through the park is mowed. D. White volunteered to summarize these recommendations in a letter.

#### **Request for Determination of Applicability: 44 Grove Street**

*Documents Reviewed: RDA Package, dated 4/18/2019*

*Resource Area: Mill Brook and its associated 200-Foot Riverfront Area, Bank and 100-Foot Buffer Zone(Wetlands Protection Act/100-Foot Adjacent Upland Wetland Resource Area (AURA) (Arlington Wetland Regulations), FEMA Floodway, FEMA Floodplain*

X. Pretzer presented a proposal to install native plantings, remove nonnative and unhealthy plants, conduct soil phytoremediation, conduct fence and wall work, and replace the current driveway with porous pavers.

S. Chapnick inquired about the lead levels in the soil. X. Pretzer stated that a professional conducted the soil testing and performed some remediation, so the current lead levels are not reportable per the Environmental Protection Agency's standards. C. Tirone asked whether the lead can migrate and leach into Mill Brook. X. Pretzer stated that he would send the Commission the analysis and results from the professional who conducted remediation, so the Commission could have more information about the status. M. Nonni recommended Panicum switch grass for additional lead remediation.

C. Tirone moved to make a negative determination for the proposed work under the Act and Bylaw, C. Connors seconded, all were in favor, motion passed.

#### **Notice of Intent: 100 Spy Pond Parkway**

*Documents Reviewed: NOI Package, dated 4/8/2019*

*Resource Area: Spy Pond, Bordering Vegetated Wetland and associated 100-Foot Buffer Zone (Wetlands Protection Act)/100-Foot Adjacent Upland Wetland Resource Area (AURA)(Arlington Wetland Regulations)*

M. Juliano presented the proposal to tear down an existing home and rebuild a new home at 100 Spy Pond Parkway. The proposed work would include landscaping such as invasive species removal and a vegetated mitigation buffer within 25-feet of the pond's edge. The proposal also includes installing stormwater infiltration systems in the front and back of the proposed structure, which would capture all of the roof runoff. The proposed home would be a zero energy and passive home. The current home is 84 feet from the pond, and the proposed home is 85 feet from the pond. The current patio is 74 feet from the pond, and the proposed patio is 81 feet from the pond. The current proposal would increase impervious surface in the AURA by 21 square feet, and would increase impervious surface by 37 square feet on the entire property.

P. Seekamp discussed the wetland delineation and the proposed mitigation planting. The bordering vegetated wetland is 5 feet wide. P. Seekamp also stated that the plans had been sent to the Natural Heritage and Endangered Species Program (NHESP) for review but that he had not heard back. N. Stevens stated that the hearing should be closed without NHESP's approval because the proposed mitigation planting depends on NHESP approving it.

C. Tirone asked how the mitigation plantings will be monitored. P. Seekamp suggested that the homeowners send annual photos to the Commission. C. Tirone asked how the homeowners would make substitutions and replacements for any failed plantings. P. Seekamp stated that the homeowners can reach out to him for replacement and substitution recommendations. S. Chapnick asked how big the mitigation planting area is. P. Seekamp stated that it is 830 square feet.

S. Chapnick asked about the alternatives analysis and whether a smaller house was considered to reduce encroachment into the AURA. The project architect stated that given the net zero energy characteristic of the home, the structure needed to be built with special considerations. The architect also stated that this house footprint is conservative compared to what they could build by right.

N. Stevens suggested that the hearing be continued given that additional information was required for review. Additional information included the NHESP review and a stormwater review by the Town Engineer.

S. Chapnick motioned to continue the hearing to the May 16, 2019 meeting, D. White seconded, all were in favor, motion passed. .

#### **Working Session (continued from 4/04/2019): 47 Spy Pond Lane, Lot 1/A**

M. Trudeau stated that there was no new information since the last working session.

M. Trudeau recommended taking some time so that the Commission could collect the more information, after which she will come back for another working session. The Commission agreed with this approach. More information includes determining whether to Town would pay for stormwater unit installation and operation and maintenance by speaking with Wayne

Chuinard, speaking with Town Counsel about the alternative analysis, and looking at previously approved projects' mitigation.

**Discussion: 41 Westminster Ave**

The Commission discussed the proposed developed of an undeveloped parcel adjacent to Mt. Gilboa. The parcel, located at 41 Westminster Ave, is not within any Conservation jurisdiction, though is adjacent to conservation land owned by the Conservation Commission. The Commission determined that it does not have the funding to purchase the land, but that the Commission would accept the land if it was gifted to the Commission. D. White volunteered to write a letter on behalf of the Commission regarding the property.

Meeting adjourned at 9:28pm.

The Conservation Commission's next meeting scheduled for Thursday, May 16, 2019 at 7:30pm in the second floor conference room of the Town Hall Annex.

Respectfully submitted,  
Emily Sullivan